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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR(S) : Lean et al.
TITLE : SYSTEM FOR TRANSPORTING AND
SELECTIVELY SORTING PARTICLES
AND METHOD OF USING THE SAME
APPLICATION NO. : 10/612,122
FILED : July 2, 2003
CONFIRMATION NO. : 3936
EXAMINER : Hageman
ART UNIT : 3653
LAST OFFICE ACTION : August 15, 2006
ATTORNEY DOCKET NO. : A3107-US-NP
XERZ 2 00594

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicant hereby appeals to the Board of Patent Appeals and Interferences from a decision of the primary Examiner mailed **August 15, 2006** finally rejecting claims 1-3, 9-11, 19-23, 25-27, 33-36.

Pursuant to 37 C.F.R. 1.17(b), the fee for this Notice of Appeal is \$500.00.

- This application is on behalf of other than a small entity.
- The Commissioner is hereby authorized to charge the payment for this Notice of Appeal to Xerox Corporation's Deposit Account No. 24-0037. The Commissioner is also hereby authorized to charge any additional fees that may be required to Deposit Account No. 24-0037. An additional copy of this sheet is attached.

11/09/2006 ZJUHAR1 00000073 240037 10612122
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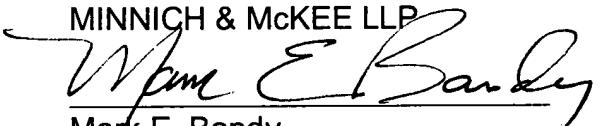
OTHER DOCUMENTS ENCLOSED:

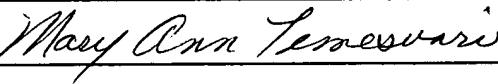
- A Petition for a _____-month extension of time under 37 C.F.R. 1.136(a) and appropriate Credit Card Payment Form PTO-2038.
- Pre-Appeal Request for Review
- Response to Final Office Action dated _____
- Other: _____

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE LLP

November 6, 2006
Date


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<input type="checkbox"/>	transmitted to the USPTO by facsimile in accordance with 37 CFR 1.18 on the date indicated below.
Express Mail Label No.:	Signature: 
Date: <u>November 6, 2006</u>	Name: Mary Ann Temesvari